

JOHN LITTLEFIELD, 8-2-07

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IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

W.A. DREW EDMONDSON, in his )  
capacity as ATTORNEY GENERAL )  
OF THE STATE OF OKLAHOMA and )  
OKLAHOMA SECRETARY OF THE )  
ENVIRONMENT C. MILES TOLBERT, )  
in his capacity as the TRUSTEE )  
FOR NATURAL RESOURCES FOR THE )  
STATE OF OKLAHOMA, )

Plaintiff, )

vs. )

4:05-CV-00329-TCK-SAJ

TYSON FOODS, INC., et al., )

Defendants. )

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VIDEO DEPOSITION OF JOHN LITTLEFIELD,  
produced as a witness on behalf of the Defendants in  
the above styled and numbered cause, taken on the  
2nd day of August, 2007, in the City of Tulsa,  
County of Tulsa, State of Oklahoma, before me, Karla  
E. Barrow, a Certified Shorthand Reporter, duly  
certified under and by virtue of the laws of the  
State of Oklahoma.

EXHIBIT

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1 down to you, but I suppose that's the way we talk  
2 about hierarchies.

3 A I got it right.

4 Q Talking about Dan Parrish at the top; right?

5 A Yes, sir.

6 Q Okay. Then I'm looking at a web page. Janet  
7 Burns, Sally Abbott, Norma Aldridge, Lester  
8 Goldsmith, appear to be administrative people in the  
9 office. Do you know them?

10 A Yes, I do.

11 Q Okay. And what is the job of Quang Pham as an  
12 engineer, if you know?

13 A I don't know for sure.

14 Q What about Harold Springer?

15 A I don't know for sure.

16 Q H.J. Thung, T-H-U-N-G?

17 A I don't know for sure.

18 Q All right. What about Jim Shirazi, who's  
19 described on the web site as being a hydrologist?

20 A I'm not sure of that either.

21 Q Do you interface with Mr. or Dr. --

22 A I know those men.

23 Q Okay. And then there's a number of inspectors  
24 listed from Geary Green to Rita Price, and you're on  
25 that list. Who do you report to?

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1 A I report to Dan.

2 Q Okay. And are there formal reporting  
3 requirements, by that I mean are there standardized  
4 forms that you send information upstream, do you  
5 just pick up the telephone and call him, is that  
6 sporadic, is it daily, or explain --

7 A No, it's sporadic, and I just pick up the  
8 phone and call him. Then we have a weekly report  
9 that we -- we are sent that we send in, and -- and  
10 then we have a summary monthly report.

11 Q And are those reports of your activities?

12 A Yes, they are.

13 Q Any other standardized reports?

14 A No.

15 Q And are those --

16 A That I know of. I can't -- I think that's the  
17 only -- only ones.

18 Q Are the weekly and monthly reports on forms?

19 A Yes, they are.

20 Q All right. Let's return to your duties. You  
21 told me you perform an inspection once a year. What  
22 do you do when you perform an inspection?

23 A Well, I get the name and address and update  
24 that information on the -- on the grower. I ask to  
25 see his current restoration certificate. I make

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1 impression that a lot of them it's their full-time  
2 job?

3 A They usually have other things that they do,  
4 the ones I know.

5 Q You also testified that you participate in  
6 educational classes. Tell me about that.

7 A Well, the grower is responsible for getting an  
8 initial nine hours when he first signs up, and  
9 within the first year he's required by law to get  
10 initial nine hours of education, and those are done  
11 by the OSU director in different counties, put those  
12 on. Then they are required, after they have the  
13 initial nine hours, to have a three hour update  
14 continuous education class every year. Because of  
15 changing of our forms and sometimes our way of doing  
16 business with the Department of Ag and sometimes,  
17 most of the time because they don't understand and  
18 won't read some of the stuff, I have gone and given  
19 some classes to growers and applicators on the three  
20 hour continuous education all the way from Broken  
21 Bow to Afton at different locations. And it was  
22 primarily on helping them to understand how to  
23 report their litter information, how to get their --  
24 it was -- it was in regards to the rules and  
25 regulations is what it really was.

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1 looking at some of the documents in your agency's  
2 file, that occasionally you guys will be asked to go  
3 respond to a complaint where other dead livestock or  
4 other carcasses have been disposed of; is that true?  
5 Like somebody has dumped cattle -- dead cattle in a  
6 ravine or something like that or just left a  
7 horse -- dead horse laying in the field, is that  
8 within your responsibility?

9 A I -- I have done some inspections or  
10 complaints like that, and I don't know about the  
11 other inspectors, I just know about myself, and it  
12 has been due to the fact that one of the other  
13 cattle inspectors or something was not available,  
14 was off sick, they were short a hand or something,  
15 and -- and Dan would ask me to investigate a large  
16 animal complaint.

17 Q So that's not -- that's not your normal  
18 responsibility?

19 A That's not my normal responsibility, but I  
20 have done that.

21 Q I assume in dealing -- investigating  
22 complaints, that a fair number of your complaints  
23 involve non-poultry people; is that true?

24 A I think that's true.

25 Q And to make sure that I'm clear, I would

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1 Q Okay. Is there any process where, you know,  
2 the resolutions or orders by the ag board on these  
3 get sent back to a file you maintain?

4 A No, I -- I don't remember getting a copy of  
5 this back.

6 Q Okay. And I'm not suggesting you did. I'm  
7 just trying to understand how paper flows --

8 A Yeah.

9 Q -- on a complaint. By the way, do you -- do  
10 you have an office or do you work from your home?

11 A I work from my home.

12 Q Do you have a place in your office that you  
13 keep your inspector files, papers, whatever?

14 A Yeah.

15 Q Okay. Tell me what sort of requirements the  
16 ODAFF has placed on you as far as maintaining  
17 records, what are you required to do?

18 A I don't remember them ever telling me that I  
19 was required to keep any records at all.

20 Q What's your normal practice?

21 A Well, because I didn't -- when I first  
22 started, I didn't get -- know where everyone lived  
23 or know anything about them, I had a rough time of  
24 trying to find them and trying to do this and that,  
25 and so I made it a point myself to try to keep some

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1 records from things that I sent ODAFF so that  
2 whoever takes my place, I'm not going to leave them  
3 stranded in the case that I was in, so I do keep a  
4 copy of these -- there's three copies in a booklet,  
5 and I keep a copy of my inspection sheets. I keep a  
6 copy of an investigation that I've done on a  
7 complaint. If it is a poultry grower, I used to  
8 keep it in the poultry grower file, and now, I just  
9 kind of keep them all together because I've got --  
10 for room purposes.

11 Q So you say at one point you filed them by  
12 grower?

13 A Well, if the complaint was on a grower, I put  
14 it in the grower's file. I've got a folder for that  
15 grower and I put it in his file.

16 Q Okay.

17 A And if it was on an applicator or some farmer  
18 and the grower was not involved, other than somebody  
19 sold him litter or something, I would -- had that  
20 just in a complaint file.

21 Q Okay. So do you just -- do you keep them now  
22 just chronologically?

23 A Yes, just altogether, chronologically by date.

24 Q As part of this lawsuit, you know, the lawyers  
25 exchange a lot of requests for information in

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1 writing. At any time, have you been asked to  
2 produce your files so that the department or lawyers  
3 for the State can make copies or review your  
4 documents?

5 A Not to my knowledge, I don't remember that.

6 Q Okay. All right.

7 A They've got all of mine.

8 MR. McDANIEL: I've got a couple of quick  
9 questions. Well, we probably need to take our --  
10 we'll take our break now?

11 A Okay.

12 MR. McDANIEL: I know everyone wants to  
13 leave the room now, and I'm pretty close to  
14 finished, if that will boost your morale.

15 MS. STEWART: Boosts mine.

16 VIDEOGRAPHER: We are now off the record.  
17 The time is 2:44 p.m.

18 (Following a brief recess at 2:40 p.m.,  
19 proceedings continued on the record at 2:52 p.m.)

20 VIDEOGRAPHER: We are back on the record.  
21 The time is 2:56 p.m.

22 Q (By Mr. McDaniel) Mr. Littlefield, after we  
23 took our little diversion and talked about  
24 documents, we were talking about this Mr. Perry  
25 Williams' circumstance, and I asked you to find that